

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

November 11, 1971

7:30 P.M.

Murchison Junior High School

3700 North Hills

The meeting was called to order with Mayor Butler presiding.

Roll call:

Present: Councilmen Dryden, Nichols, Love, Friedman, Handcox,  
Mayor Butler  
Absent: Councilman Lebermann

The Invocation was delivered by REVEREND SANFORD COON, University Methodist Church.

APPROVAL OF MINUTES

Councilman Nichols moved the Council approve the Minutes of the Regular Meeting of November 4, 1971. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Friedman, Handcox,  
Mayor Butler  
Noes: None  
Absent: Councilman Lebermann

RELEASE OF EASEMENTS

Councilman Love moved the Council adopt a resolution authorizing the release of the following easement:

Four (4) public utilities easements in THE VILLAGE, SECTION ONE - Lot 21, Block C; Lot 9, Block A; Lot 10, Block A; Lot 18, Block B.

The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Friedman, Handcox,  
Mayor Butler  
Noes: None  
Absent: Councilman Lebermann

Councilman Love moved the Council adopt a resolution authorizing the release of the following easement:

Six (6) public utilities easements in THE VILLAGE, SECTION TWO - Lot 11, Block A; Lot 13, Block A; Lot 14, Block A; Lot 20, Block C; Lot 15, Block D; Lot 21, Block D.

The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Friedman, Handcox,  
Mayor Butler

Noes: None

Absent: Councilman Lebermann

Councilman Love moved the Council adopt a resolution authorizing the release of the following easement:

A portion of the electrical and telephone easement out of Lot 3, Block C, THE VILLAGE, SECTION TWO.

The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Friedman, Handcox,  
Mayor Butler

Noes: None

Absent: Councilman Lebermann

Councilman Love moved the Council adopt a resolution authorizing the release of the following easement:

Four (4) public utilities easements in THE VILLAGE, SECTION THREE - Lot 3, Block E; Lot 10, Block E; Lot 14, Block E; Lot 15, Block E.

The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Friedman, Handcox,  
Mayor Butler

Noes: None

Absent: Councilman Lebermann

Councilman Love moved the Council adopt a resolution authorizing the release of the following easement:

Five (5) public utilities easements in CHERRY CREEK, PHASE II, SECTION FOUR - Lot 4, Block A; Lot 6, Block A; Lot 26, Block B; Lot 8, Block H; Lot 9, Block H.

The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Friedman, Handcox, Mayor Butler

Noes: None

Absent: Councilman Lebermann

Councilman Love moved the Council adopt a resolution authorizing the release of the following easement:

A portion of an electrical and telephone easement out of Lot 2D, PLAZA DE ORA.

The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Friedman, Handcox, Mayor Butler  
Noes: None  
Absent: Councilman Lebermann

Councilman Love moved the Council adopt a resolution authorizing the release of the following easement:

Two drainage easements out of Lot 7, Block C, UNIVERSITY HILLS, SECTION ONE, PHASE TWO.

The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Friedman, Handcox, Mayor Butler  
Noes: None  
Absent: Councilman Lebermann

Councilman Love moved the Council adopt a resolution authorizing the release of the following easement:

A portion of a public utilities easement out of Lot 10, Block M. HIGHLAND PARK WEST.

The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Friedman, Handcox, Mayor Butler  
Noes: None  
Absent: Councilman Lebermann

Councilman Love moved the Council adopt a resolution authorizing the release of the following easement:

A public utilities easement out of Lot 1, GENE HOWARD SUBDIVISION.

The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Friedman, Handcox, Mayor Butler  
Noes: None  
Absent: Councilman Lebermann

Councilman Love moved the Council adopt a resolution to release the following described portions of public utility easements:

Three (3) tracts of land designated as Cedar Avenue, New York Avenue and Singleton Avenue which were retained when vacated by Ordinance 691125-B.

Tract 1: Cedar Avenue from the south line of East 12th Street to the easterly prolongation of the north line of New York Avenue.

Tract 2: New York Avenue from the east line of Cedar Avenue in a westerly direction 303.30 feet.

Tract 3: Singleton Avenue from the south line of East 12th Street to the westerly prolongation of the south line of New York Avenue.

The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Friedman, Handcox, Mayor Butler  
Noes: None  
Absent: Councilman Lebermann

Councilman Love moved the Council adopt a resolution to release the following described portion of certain drainage easements:

Three (3) tracts of land designated as Cedar Avenue and New York Avenue which were retained when vacated by Ordinance 691125-B.

Tract 1: East ten (10.00) feet of the north 330.00 feet of Cedar Avenue.

Tract 2: South seventy (70.00) feet of Cedar Avenue.

Tract 3: East fifty (50.00) feet of New York Avenue.

The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Friedman, Handcox, Mayor Butler  
Noes: None  
Absent: Councilman Lebermann

Councilman Love moved the Council adopt a resolution to release the following described portions of certain public utility easements:

Two (2) tracts of land designated as Singleton Avenue and Cedar Avenue which were retained when vacated by Ordinance 691211-J.

Tract 1: The west one-half (1/2) of Singleton Avenue from the westerly prolongation of the south line of New York Avenue, in a southerly direction 332 feet, more or less.

Tract 2: Dedar Avenue from the easterly prolongation of the south line of New York Avenue in a southerly direction 466 feet, more or less.

The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Friedman, Handcox, Mayor Butler  
 Noes: None  
 Absent: Councilman Lebermann

HOTEL OCCUPANCE TAX

Councilman Nichols moved the Council adopt a resolution allotting approximately one-third of hotel occupancy tax for convention and tourism activities and approve contract with the Chamber of Commerce for such purposes. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Friedman, Handcox, Mayor Butler  
 Noes: None  
 Absent: Councilman Lebermann

PUBLIC LIBRARY DEVELOPMENT GRANT

Councilman Handcox moved the Council adopt a resolution authorizing the City Manager to apply for a Public Library Development Grant under the Library Services and Construction Act Title I to be administered by the Texas State Library. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Friedman, Handcox, Mayor Butler  
 Noes: None  
 Absent: Councilman Lebermann

UTILITY JOINT USE AGREEMENT

Councilman Nichols moved the Council adopt a resolution authorizing the City Manager to enter into a Utility Joint Use Agreement with the State of Texas Highway Department for Project 3277-1 (wood poles and overhead distribution lines on FM 3177 from US 290, 2.5 miles southwest of Manor, to FM 969). The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Friedman, Handcox, Mayor Butler  
 Noes: None  
 Absent: Councilman Lebermann

DANCE PERFORMANCES - CIVIC BALLET

Councilman Nichol moved the Council adopt a resolution authorizing the City Manager to enter into a contract with the Austin Civic Ballet for dance performances during 1971-1972. \$3,500 as provided in Special Services section of the budget. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Friedman, Handcox, Mayor Butler  
 Noes: None  
 Absent: Councilman Lebermann

### SALE OF SURPLUS EQUIPMENT

Councilman Dryden moved the Council authorized the sale of surplus equipment as follows:

<u>ITEM</u>	<u>NAME</u>	<u>AMOUNT</u>	<u>ITEM</u>	<u>NAME</u>	<u>AMOUNT</u>
1	Roy Seggren	\$ 900.00	45	D. U. Auto Sales	\$ 427.00
2	Ted Attal	\$2,127.00	46	Bradsher Used Cars	\$ 308.00
3	Roy Seggren	\$4,100.00	47	Lenard Gattis	\$ 400.00
4	Bill Lynas	\$ 7.77	48	Earl Hill Motor	
5	Doyle McCoy	\$ 36.00		Sales	\$ 315.00
6	B & B Body & Trim Shop	\$ 27.50	49	Bradsher Used Cars	\$ 358.00
7	Roy Seggren	\$ 10.00	50	Henslee Auto Parts	\$ 160.00
8	Doyle McCoy	\$ 112.00	51	Frank R. DeVought	\$ 201.00
9	Ted Attal	\$ 133.50	52	Ronald B. Boyd	\$ 359.00
10	Ted Attal	\$ 130.50	53	Bradsher Used Cars	\$ 308.00
11	Bill Lynas	\$ 7.77	54	Willie Rodrigues	\$ 33.33
12	Edwin C. Sullivan	\$ 52.00	55	J. Ronald Cole	\$ 70.00
13	William E. Dixon	\$ 10.00	56	Willie Rodrigues	\$ 88.88
14	Doyle McCoy	\$ 336.00	57	Willie Rodrigues	\$ 151.51
15	Doyle McCoy	\$ 562.00	58	Henslee Auto Parts	\$ 35.00
16	Davis Truck & Equipment	\$ 900.00	59	Willie Rodrigues	\$ 59.86
17	Alamo Truck Salvage	\$ 377.50	60	Henslee Auto Parts	\$ 70.00
18	Doyle McCoy	\$ 712.00	61	Henslee Auto Parts	\$ 80.00
19	E. E. Stuessy	\$ 850.00	62	Willie Rodrigues	\$ 181.19
20	E. E. Stuessy	\$ 600.00	63	D. U. Auto Sales	\$ 267.00
21	Joe W. Gault	\$ 552.00	64	Henslee Auto Parts	\$ 130.00
22	McCarty Corp.	\$ 500.00	65	D. U. Auto Sales	\$ 312.00
23	Doyle McCoy	\$ 312.00	66	D. U. Auto Sales	\$ 312.00
24	Sanson & Son Dairy	\$ 175.00	67	Henslee Auto Parts	\$ 110.00
25	David Weatherford	\$ 410.00	68	Henslee Auto Parts	\$ 110.00
26	Harold G. Kennedy	\$ 232.00	69	Henslee Auto Parts	\$ 130.00
27	Bradsher Used Cars	\$ 128.00	70	Henslee Auto Parts	\$ 130.00
28	Bradsher Used Cars	\$ 158.00	71	D. U. Auto Sales	\$ 337.00
29	L. S. Koenig	\$ 385.00	72	Ray E. Whitmire	\$ 272.50
30	Builders Equipment Rental	\$ 225.00	73	D. U. Auto Sales	\$ 337.00
31	Earl Hill Motor Sales	\$ 242.00	74	D. U. Auto Sales	\$ 310.00
32	Cecil McCullough	\$ 329.84	75	Doyle McCoy	\$ 236.00
33	Earl Hill Motor Sales	\$ 251.00	76	Henslee Auto Sales	\$ 220.00
34	Cecil McCullough	\$ 222.22	77	D. U. Auto Sales	\$ 362.00
35	Willie Rodrigues	\$ 369.69	78	D. U. Auto Sales	\$ 487.00
36	Earl Hill Motor Sales	\$ 201.00	79	D. U. Auto Sales	\$ 487.00
37	Builders Equipment Rental	\$ 325.50	80	D. U. Auto Sales	\$ 312.00
38	Earl Hill Motor Sales	\$ 260.00	81	D. U. Auto Sales	\$ 312.00
39	D. U. Auto Sales	\$ 212.00	82	D. U. Auto Sales	\$ 312.00
40	Bradsher Used Cars	\$ 178.00	83	D. U. Auto Sales	\$ 612.00
41	Bradsher Used Cars	\$ 208.00	84	D. U. Auto Sales	\$ 310.00
42	D. U. Auto Sales	\$ 287.00	85	D. U. Auto Sales	\$ 312.00
43	Doyle McCoy	\$ 312.00	86	Doyle McCoy	\$ 52.00
44	Bradsher Used Cars	\$ 178.00	87	Doyle McCoy	\$ 42.00

<u>ITEM</u>	<u>NAME</u>	<u>AMOUNT</u>	<u>ITEM</u>	<u>NAME</u>	<u>AMOUNT</u>
88	Doyle McCoy	\$ 62.00	91	Doyle McCoy	\$ 12.00
89	Henslee Auto Parts	\$ 26.00	92	Doyle McCoy	\$ 362.00
90	Norman Fuessel	\$ 2.05	93	Ted Attal	\$ 301.00

Total Amount - \$29,829.11

Itemized description on file in City Clerk's Office under "Sale of Surplus Equipment."

**PURCHASE OF NORTHWEST FIRE STATION SITE**

Councilman Nichols moved the Council adopt a resolution authorizing agreement with Austin Corporation for purchase of Northwest Fire Station site on south side of Spicewood Springs Road Approximately 500 feet east of Mesa Drive. Agreement is subject to the City obtaining approval of special permit for construction of Fire Station and obtaining approval of necessary short form subdivision on subject tract. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Friedman, Handcox, Mayor Butler  
 Noes: None  
 Absent: Councilman Lebermann

**ACQUISITION OF LAND**

Councilman Nichols moved the Council adopt a resolution authorizing the acquisition of certain land for the MoPac Expressway - Phase 3 - as follows:

2200 W. 7th Street (Partial Acquisition)  
 Robert Ogden et ux

The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Friedman, Handcox, Mayor Butler  
 Noes: None  
 Absent: Councilman Lebermann

**CASH SETTLEMENT**

Councilman Love moved the Council adopt a resolution authorizing 40/60% cash settlement in lieu of refund contract for water and sewer lines in West Gate West, with Henry Wetzel, Jr. - Total cost to City to be settled by cash payment is \$4,200.72. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Friedman, Handcox, Mayor Butler  
 Noes: None  
 Absent: Councilman Lebermann

MASTER PLAN CHANGE - HEARING SET

Councilman Nichols moved the Council set a hearing at 3:00 P.M., November 28, for changes in the Master Plan as follows:

Approximately two acres of land located in northwest Austin south of old U. S. Highway 183 approximately 1/2 mile west of the proposed West Loop - from suburban residential to manufacturing and related uses.  
C2-71-1(g) - Austin Ready Mix Company by Frank L. Thompson.

The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Friedman, Handcox, Mayor Butler  
Noes: None  
Absent: Councilman Lebermann

The change described below in the Master Plan was taken off of the Agenda at this time:

Approximately 38 acres of land located in southwest Austin on U.S. Highway 290 just west of Brodie Lane, from low-density residential to commercial-service and semi-industrial use.  
C2-71-1(f) - Elmer Cullers by A. S. Duncan.

SALE OF HOUSES

Councilman Nichols moved the Council adopt a resolution authorizing the sale of houses and accepting positive bids on houses to be moved as follows:

Jack Giverson	1700 Newfield	\$720.00
Odean Perry	1101 Elm	\$700.00
M. E. Bell	1307 Red River (frame)	\$ 64.93

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Friedman, Handcox, Mayor Butler  
Noes: None  
Absent: Councilman Lebermann

Councilman Nichols moved the Council adopt a resolution authorizing the sale of houses and accepting negative bids on houses to be demolished as follows:

Vince Ferrer	902 Essex	\$221.00
August Heyer	1625 W. 11th St.	\$ 75.00
Southwest Rathgeber	1307 Red River (sheet metal)	\$ 88.88

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Friedman, Handcox, Mayor Butler  
Noes: None  
Absent: Councilman Lebermann

## SUBSTANDARD STRUCTURES

Councilman Nichols moved the Council accept the recommendations of the Building Standards Commission on these, and instruct the Law Department to take proper legal disposition of the following substandard structures which have not been repaired or demolished within the required time:

1203 Cedar Avenue	-	Mrs. Arvella Bonner
1132 Northwestern	-	James Harold
* 2500 Diaz Street	-	Mike Ortiz Estate
1906 East 18th Street	-	Rudolph Williams
1310 Rosewood	-	Mrs. Thelma D. Whitlow
4903 Santa Anna	-	Ernest Caro

\* The owner of this property asked for more time.

The motion, seconded by Councilman Love, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Friedman, Handcox, Mayor Butler  
 Noes: None  
 Absent: Councilman Lebermann

## LEASE AUTHORIZATION POSTPONED

The Council postponed until November 18, 1971, the item of the the authorization of a lease for a building located at 1621 Rosewood Avenue for use as a storefront office of the police-community relations program - six months with an option to renew for an additional six months - \$65.00 monthly.

## PAY INCREASES

Councilman Nichols moved the Council adopt a resolution authorizing the City Attorney to take immediate action to :

- (1) Obtain a definitive determination of the extent of the application, if any, of such preliminarily announced restrictions of 5.5%.
- (2) As may be necessary, depending upon the applicability of said restrictions to said wage increases of the City of Austin, pursue all possible exemptions or exceptions in order that the heretofore approved across-the-board increases of Seventy-Five Dollars (\$75.00) and Fifty Dollars (\$50.00) per month might be effectuated.

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Friedman, Handcox, Mayor Butler  
 Noes: None  
 Absent: Councilman Lebermann

## AMENDMENT TO CONTRACT RE: VACATION OF STREETS AND ALLEYS

The City Attorney reviewed the request in that the City had agreed with the State Highway Department in connection with its new building that the Council would vacate some alleys and streets, the Highway were not constructed, that this matter be null and void. The City Attorney reported this was not the desire of the Highway Department, as they wanted the street vacation regardless. Councilman Love moved the Council adopt a resolution to amend the Original Contract regarding vacation of streets and alleys. The motion, seconded by Councilman Nichols, carried by the following votw:

Ayes: Councilmen Dryden, Nichols, Love, Friedman, Handcox, Mayor Butler  
Noes: None  
Absent: Councilman Lebermann

## CONTRACTS AWARDED

Councilman Love moved the Council adopt a resolution awarding the following contract:

DULANEY SERVICE COMPANY - One (1) each Diesel Powered Motor Grader to be used by Street and Bridge Division - \$21,143.00. (Budgeted item)

The City Manager said this Company was the low bidder for replacement equipment and all bids met specifications. Mayor Butler asked if the provision was included in the bid for certification that the price of the material was not in excess of that in effect August 15. The Director of Purchasing reported that the practice of applying the provision was commenced subsequent to the Council's direction of September 23rd; however, these prices were in line.

Discussion regarding specifications' calling for American made equipment was brought up by Councilman Nichols. The Director of Purchasing in response, stated specifications included this provision on construction material and equipment for the Electric utility; however, some equipment is not made in the United States, as typewriters, calculators, etc. Mayor Pro-tem Love was concerned that the City bid on bases insisting on domestic possibilities wherever possible. It was reported bids received from domestic manufacturers would indicate their items were foreign made.

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Friedman, Handcox, Mayor Butler  
Noes: None  
Absent: Councilman Lebermann

Mayor Butler brought up the awarding of contracts for annual book and record requirements for the Austin Libraries. Total estimated - \$178,000.  
(Budgeted Item)

BRO-DART

- For furnishing annual book requirements  
(Items 1 - 8) \$165,000.00.

BAKER & TAYLOR

- For furnishing Paperback books (Item 9)  
\$6,000.00.

Mr. Earl Holt, Librarian, recommended the bid be awarded to Baker & Taylor Company, and pointed out a difference in this bid and the low bid of .4 of 1%, or \$560.00. The low bidder had not established himself as a responsible book jobber in the short two years he had been in business.

Mr. Holt had contacted Libraries who had placed orders with the low bidder as well as those to whom the company had referred him; and all but one replied they would not recommend this company due to excessive delays, in shipments and excessive errors in billing and shipping. The difference in the bids would not justify the Austin Library to change from a known quality of good service to that of substandard or questionable service.

Councilman Dryden, noting the bidder was \$560.00 higher, made a motion that the Council offer Baker & Taylor \$171,500.00. Councilman Nichols seconded the motion. Mayor Pro-tem Love offered as amendment to the motion, to accept the recommendation of the Director of Libraries. Mayor Pro-tem Love's motion failed for lack of a second. Roll Call on Councilman Dryden's motion, to offer Baker & Taylor Company \$171,500.00 which is some \$560.00 less than their bid, resulted in a 3 to 3 vote, Councilman Lebermann absent.

Councilman Friedman moved the Council adopt a resolution to accept the low bidder, Bro-Dart, to furnish annual book requirements as a package including areas that met specifications (Item 9 did not). The motion, seconded by Councilman Love, carried by the following vote:

Ayes: Councilmen Love, Friedman, Handcox, Mayor Butler  
Noes: Councilmen Dryden and Nichols  
Absent: Councilman Lebermann

Councilman Friedman moved the Council adopt a resolution to accept the bid of Baker & Taylor Company to furnish Paperback books (Item 9). The motion, seconded by Councilman Love, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Friedman, Handcox, Mayor Butler  
Noes: None  
Absent: Councilman Lebermann

Councilman Friedman asked that in the future bidders be qualified as per Councilman Handcox's and Nichols' discussion previously, or give better reasoning for acceptance of someone other than the low bidder. He also suggested that a penalty clause be included in the contract.

Councilman Dryden did not believe the Council was bound to the low bidder. Mr. Holt had made it clear that the \$560.00 above the low bid had led him to believe the service in getting the books on time was worth the extra \$500. Councilman Nichols suggested requiring a performance bond on the book orders. The City Manager stated if the Council so desired, they would be glad to add this requirement.

By public drawing:

HARVARD CO-OP SOCIETY

- For Phonograph Records - \$7,000.00

As to identical bids from National Record Plan and Harvard Co-op Society for records, it was stated by the City Manager that these bids are being reported to the Anti-Trust Division of the Attorney General's Office. By public drawing, the name of HARVARD CO-OP SOCIETY was drawn. Councilman Nichols moved the Council adopt a resolution awarding the contract for Phonograph Records to HARVARD CO-OP SOCIETY. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Friedman, Handcox, Mayor Butler

Noes: None

Absent: Councilman Lebermann

Councilman Love moved the Council adopt a resolution awarding the following contract:

CUMMINS-CHICAGO CORP.

- To supply various additional Data Processing Equipment - \$1,825 per month, including maintenance.

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Friedman, Handcox, Mayor Butler

Noes: None

Absent: Councilman Lebermann

#### MODEL CITIES PROPOSAL

Councilman Nichols moved the Council adopt a resolution authorizing an amendment to the Recreation Facilities Improvements agreement (#11700) between the City of Austin Model Cities Department and the Parks and Recreation Department of the City of Austin to allow for changes in improvements to be constructed at Rosewood Park. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Friedman, Handcox, Mayor Butler

Noes: None

Absent: Councilman Lebermann

Councilman Lebermann enters the Council meeting at this point.

#### CONTINUED HEARING - CAPITAL AMBULANCE SERVICE

Mr. Dale Owens continued his hearing for a franchise to operate an ambulance. It was pointed out that the Council had asked for bids on an ambulance service on December 8th. Councilman Nichols pointed out that contract would be an interim service for about 18 months until the modular ambulance system could be in operation, and that he would not vote on a franchise now since the Council would be receiving bids on December 8th. Mayor Butler explained the specifications for this service would be ready early next week. Mr. Owens asked for a delay on voting on his application until after the bids were received. After more discussion, Councilman Nichols moved the Council vote to join in the waiver with Mr. Dale Owens for 15 days. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,  
Mayor Butler  
Noes: None

#### VACATION OF ALLEYS

Mayor Butler introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING FOR PUBLIC USE THOSE CERTAIN PORTIONS OF WEST 10TH STREET ALLEY AND COLORADO STREET ALLEY, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilman Nichols moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,  
Mayor Butler  
Noes: None

The Mayor announced that the ordinance had been finally passed.

#### ANNEXATION ORDINANCES

Mayor Butler introduced the following ordinance for its third reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 4.38 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE J. C. TANNEHILL LEAGUE IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

The ordinance was read for the third time, and Councilman Dryden moved that it be finally passed. The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,  
Mayor Butler  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Butler introduced the following ordinance for its third reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 59.86 ACRES OF LAND, SAME BEING PARTLY OUT OF AND A PART OF THE H. T. DAVIS SURVEY AND PARTLY OUT OF AND A PART OF THE J. C. TANNEHILL LEAGUE; 4.03 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE J. C. TANNEHILL LEAGUE; 5.22 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE J. C. TANNEHILL LEAGUE; 10.40 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE J. C. TANNEHILL LEAGUE; AND 31 ACRES OF LAND, MORE OR LESS, SAME BEING OUT OF AND A PART OF THE J. C. TANNEHILL LEAGUE; ALL BEING LOCATED IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

The ordinance was read for the third time, and Councilman Dryden, moved that it be finally passed. The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,  
Mayor Butler  
Noes: None

The Mayor announced that the ordinance had been finally passed.

#### REFUND CONTRACTS

Mayor Butler introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE DEPUTY CITY MANAGER TO ENTER INTO A CERTAIN REFUND CONTRACT WITH 109 LIMITED, RONALD E. TYNES, OWNER; AND DECLARING AN EMERGENCY.

Councilman Nichols moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Love, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,  
Mayor Butler  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Butler introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE DEPUTY CITY MANAGER TO ENTER INTO A CERTAIN REFUND CONTRACT WITH WALNUT BEND, INC. - HUNTER SCHIEFFER, PRESIDENT; AND DECLARING AN EMERGENCY.

Councilman Nichols moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Love, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,  
Mayor Butler  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Butler introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE DEPUTY CITY MANAGER TO ENTER INTO A CERTAIN REFUND CONTRACT WITH NORWAY, INC. - JERRY WALLACE, PRESIDENT; AND DECLARING AN EMERGENCY.

Councilman Nichols moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Love, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,  
Mayor Butler  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Butler introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE DEPUTY CITY MANAGER TO ENTER INTO A CERTAIN REFUND CONTRACT WITH L. A. FELDER, INC. - WEST-LEACH, INC. - PARTNERSHIP; AND DECLARING AN EMERGENCY.

Councilman Nichols moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Love, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,  
Mayor Butler  
Noes: None

The Mayor announced that the ordinance had been finally passed.

The City Manager noted that Walnut Bend, Inc. and L. A. Felder, Inc. are City owned water districts.

#### HEARING SET - PAVING ASSESSMENTS

Mayor Butler introduced the following ordinance:

AN ORDINANCE APPROVING AND ADOPTING THE WRITTEN STATEMENT AND REPORT OF THE DIRECTOR OF PUBLIC WORKS, SHOWING THE ESTIMATES OF THE TOTAL COSTS OF ALL THE IMPROVEMENTS, THE ESTIMATES OF THE COSTS PER FRONT FOOT AND TRUE OWNERS THEREOF, AND THE ESTIMATED OF VARIOUS OTHER COSTS FOR THE IMPROVING OF PORTIONS OF SUNDRY STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINBELOW DESCRIBED, AND OF OTHER MATTERS RELATING THERETO; DETERMINING AND FIXING THE PORTION OF SAID COSTS AND THE RATE THEREOF PROPOSED TO BE ASSESSED AGAINST AND PAID BY THE ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF; DETERMINING THE NECESSITY OF LEVYING AN ASSESSMENT AGAINST SAID ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF FOR THE PORTION OF SAID COSTS APPORTIONED TO THEM; ORDERING AND SETTING A HEARING AT 10:30 O'CLOCK A.M. ON THE 16TH DAY OF DECEMBER, 1971, IN THE COUNCIL CHAMBER OF THE CITY HALL OF AUSTIN, TEXAS, AS THE TIME AND PLACE FOR THE HEARING OF THE REAL AND TRUE OWNERS OF SAID ABUTTING PROPERTY AND ALL OTHERS INTERESTED IN SAID ABUTTING PROPERTY OR IN ANY OF THE PROCEEDINGS AND CONTRACT CONCERNING SAID ASSESSMENTS, PROCEEDINGS AND IMPROVEMENTS; DIRECTING THE CITY MANAGER OF THE CITY OF AUSTIN, TEXAS, TO GIVE NOTICE OF SAID HEARING AS REQUIRED BY THE LAWS OF THE STATE OF TEXAS AND THE CHARTER OF THE CITY OF AUSTIN; DECLARING AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY UPON ITS PASSAGE.

Councilman Handcox moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,  
Mayor Butler

Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Butler introduced the following ordinance:

AN ORDINANCE APPROVING AND ADOPTING THE WRITTEN STATEMENT AND REPORT OF THE DIRECTOR OF PUBLIC WORKS, SHOWING THE ESTIMATES OF THE TOTAL COSTS OF ALL THE IMPROVEMENTS, THE ESTIMATES OF THE COSTS PER FRONT FOOT PROPOSED TO BE ASSESSED AGAINST THE ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF, AND THE ESTIMATES OF VARIOUS OTHER COSTS FOR THE IMPROVING OF PORTIONS OF SUNDRY STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINBELOW DESCRIBED, AND OF OTHER MATTERS RELATING THERETO; DETERMINING AND FIXING THE PORTION OF SAID COSTS AND THE RATE THEREOF PROPOSED TO BE ASSESSED AGAINST AND PAID BY THE ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF; DETERMINING THE NECESSITY OF LEVYING AN ASSESSMENT AGAINST SAID ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF FOR THE PORTION OF SAID COSTS APPORTIONED TO THEM; ORDERING AND SETTING A HEARING AT 10:30 O'CLOCK A.M. ON THE 16TH DAY OF DECEMBER, 1971, IN THE COUNCIL CHAMBER OF THE CITY HALL OF AUSTIN, TEXAS, AS THE TIME AND PLACE FOR THE HEARING OF THE REAL AND TRUE OWNERS OF SAID ABUTTING PROPERTY OR IN ANY OF THE PROCEEDINGS AND CONTRACT CONCERNING SAID ASSESSMENTS, PROCEEDINGS AND IMPROVEMENTS; DIRECTING THE CITY MANAGER OF THE CITY OF AUSTIN, TEXAS, TO GIVE NOTICE OF SAID HEARING AS REQUIRED BY THE LAWS OF THE STATE OF TEXAS AND THE CHARTER OF THE CITY OF AUSTIN; DECLARING AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY UPON ITS PASSAGE. (Banister Lane, Barton Skyway, Middle Fiskville Road, Clayton Lane, East 55th Street and Martin Avenue; covering 14 blocks - 71-Pa-103)

Councilman Handcox moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox, Mayor Butler

Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Butler introduced the following ordinance:

AN ORDINANCE APPROVING AND ADOPTING THE WRITTEN STATEMENT AND REPORT OF THE DIRECTOR OF PUBLIC WORKS, SHOWING THE ESTIMATES OF THE TOTAL COSTS OF ALL THE IMPROVEMENTS, THE ESTIMATES OF THE COSTS PER FRONT FOOT PROPOSED TO BE ASSESSED AGAINST THE ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF, AND THE ESTIMATES OF VARIOUS OTHER COSTS FOR THE IMPROVING OF PORTIONS OF SUNDRY STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINBELOW DESCRIBED, AND OF OTHER MATTERS RELATING THERETO; DETERMINING AND FIXING THE PORTION OF SAID COSTS AND THE RATE THEREOF PROPOSED TO BE ASSESSED AGAINST AND PAID BY THE ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF; DETERMINING THE NECESSITY THE NECESSITY OF LEVYING AN

ASSESSMENT AGAINST SAID ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF FOR THE PORTION OF SAID COSTS APPORTIONED TO THEM; ORDERING AND SETTING A HEARING AT 10:30 O'CLOCK A.M. ON THE 16TH DAY OF DECEMBER, 1971, IN THE COUNCIL CHAMBER OF THE CITY HALL OF AUSTIN, TEXAS, AS THE TIME AND PLACE FOR THE HEARING OF THE REAL AND TRUE OWNERS OF SAID ABUTTING PROPERTY AND ALL OTHERS INTERESTED IN SAID ABUTTING PROPERTY OR IN ANY OF THE PROCEEDINGS AND CONTRACT CONCERNING SAID ASSESSMENTS, PROCEEDINGS AND IMPROVEMENTS; DIRECTING THE CITY MANAGER OF THE CITY OF AUSTIN, TEXAS, TO GIVE NOTICE OF SAID HEARING AS REQUIRED BY THE LAWS OF THE STATE OF TEXAS AND THE CHARTER OF THE CITY OF AUSTIN; DECLARING AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY UPON ITS PASSAGE. (Montopolis Drive, covering 8 1/2 blocks)

Councilman Handcox moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,  
Mayor Butler  
Noes: None

The Mayor announced that the ordinance had been finally passed.

#### INDUSTRIAL WASTE ORDINANCE

Mayor Butler introduced the following ordinance:

AN ORDINANCE REGULATING THE DISCHARGE OF INDUSTRIAL WASTE INTO THE SANITARY SEWERAGE SYSTEM AND THE STORM DRAINAGE SYSTEM OF THE CITY OF AUSTIN BY AMENDING SECTION 31 AND REPEALING SECTION 34 OF CHAPTER 42 OF THE AUSTIN CITY CODE OF 1967; DEFINING TERMS; REQUIRING CONTROL MANHOLES; PROVIDING FOR PERMITS FOR DISCHARGING INDUSTRIAL WASTE INTO A PUBLIC SEWER OF WATERCOURSE; AUTHORIZING DISCONNECTION OF WATER AND/OR SANITARY SEWER SERVICE TO PERSONS VIOLATING THIS ORDINANCE; PROVIDING FOR INSPECTION AND SAMPLING OF INDUSTRIAL WASTE; PROHIBITING THE DISCHARGE OF CERTAIN LIQUID WASTES INTO PUBLIC SEWERS OR WATERCOURSES; REQUIRING PRETREATMENT OF CERTAIN INDUSTRIAL WASTES; PROVIDING AN ABNORMAL SEWAGE SURCHARGE; AUTHORIZING THE DIRECTOR OF THE WATER AND WASTEWATER DEPARTMENT TO DETERMINE THE SUFFICIENCY OF PRETREATMENT; MAKING THIS ORDINANCE CUMULATIVE OF PRIOR ORDINANCES; REPEALING ALL ORDINANCES AND PROVISIONS OF THE AUSTIN CITY CODE IN CONFLICT HERewith; PROVIDING REMEDIES; PROVIDING PENALTIES; PROVIDING A SEVERABILITY CLAUSE; DECLARING AN EMERGENCY; AND PROVIDING AN EFFECTIVE DATE.

Mr. Pat Patterson, Sierra Club, reported this Club had examined and studied this ordinance and believes it to be excellent; not only an ideal ordinance for Austin, but a model for the State and possibly for the Nation. The Club recommended that in the implementation of the ordinance that adequate personnel be provided, and funding arranged to carry out its provisions.

Mayor Butler announced that businesses, involved industries, and interested people had been notified that this legislation was to be finally enacted on this date, and several representatives were present.

Councilman Nichols moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,  
Mayor Butler  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Councilman Lebermann announced Austin had made a great step forward in passing this ordinance.

#### AMENDMENT TO AMBULANCE ORDINANCE

Mayor Butler introduced the following ordinance:

AN ORDINANCE AMENDING SECTION 34-94 OF THE CODE OF THE CITY OF AUSTIN, 1967; PROVIDING FOR CIRCUMSTANCES UNDER WHICH A FRANCHISE SHALL NOT BE GRANTED; AND DECLARING AN EMERGENCY.

The City Attorney reviewed the ordinance pertaining to the granting or denying of franchise and paying ad valorem taxes. Mayor Butler and several Councilmen suggested that the ordinance include a provision that all taxes be paid by an individual or major stockholders of a corporation. After discussion, Councilman Nichols moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,  
Mayor Butler  
Noes: None

The Mayor announced that the ordinance had been finally passed.

#### ZONING ORDINANCES

Mayor Butler introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

LOT 1, BLOCK 15, BROADACRES SUBDIVISION, LOCALLY KNOWN AS 5623-5625 WOODROW AVENUE, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilman Love moved the Council waive the requirement for three readings, declare an emergency, and finally pass the ordinance effective immediately. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,  
Mayor Butler

Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Butler introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

A 10.42 ACRE TRACT OF LAND, LOCALLY KNOWN AS 3418-3458 STECK AVENUE; 8201-8319 BALCONES DRIVE, FROM INTERIM "A" RESIDENCE DISTRICT TO "DL" LIGHT INDUSTRIAL DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilman Love moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,  
Mayor Butler

Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Butler introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

EAST 25 FEET OF LOT 23, ALL OF LOT 22, AND THE WEST 25 FEET OF LOT 21, P. J. LAWLESS ADDITION, LOCALLY KNOWN AS 1108-1112 WEST 22 AND 1/2 STREET, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilman Love moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,  
Mayor Butler

Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Butler introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

A 0.53 ACRE TRACT OF LAND, LOCALLY KNOWN AS 2609-2621 BUELL AVENUE, FROM INTERIM "A" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilman Love moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,  
Mayor Butler

Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Butler introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

- (1) A 5,000 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 8018-8024 SHOAL CREEK BOULEVARD, FROM "O" OFFICE DISTRICT TO "LR" LOCAL RETAIL DISTRICT; AND,
- (2) A 900 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 1134 AIRPORT BOULEVARD, FROM "C" COMMERCIAL DISTRICT TO "C-2" COMMERCIAL DISTRICT; AND,
- (3) A 2,250 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 1313 MONTOPOLIS DRIVE, FROM "GR" GENERAL RETAIL DISTRICT TO "C-2" COMMERCIAL DISTRICT; AND,
- (4) AN 804 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 745 MONTOPOLIS DRIVE, FROM "C" COMMERCIAL DISTRICT TO "C-2" COMMERCIAL DISTRICT; AND,
- (5) A 0.76 ACRE TRACT OF LAND, LOCALLY KNOWN AS THE REAR OF 9809-9909 PARKFIELD DRIVE, FROM "LR" LOCAL RETAIL DISTRICT TO "BB" RESIDENCE DISTRICT; AND,

(6) A 1,482 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 7800 NORTH INTERREGIONAL HIGHWAY, FROM "C" COMMERCIAL DISTRICT TO "C-2" COMMERCIAL DISTRICT; AND,  
(7) LOTS 1, 2, 3, AND 4, BLOCK 7, HYDE PARK ADDITION, LOCALLY KNOWN AS 4413-4415 AVENUE B; 305-307 WEST 45TH STREET, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT;  
ALL OF SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilman Love moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,  
Mayor Butler  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Butler introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:  
LOT 13, BLOCK 1, SHERRY-DALE SUBDIVISION, LOCALLY KNOWN AS 602 DENSON DRIVE, FROM "A" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilman Love moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,  
Mayor Butler  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Butler introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

LOT 10 AND THE SOUTH 45.5 FEET OF LOT 9, WENDLANTS SUBDIVISION, LOCALLY KNOWN AS 1901-1905 KINNEY AVENUE, FROM "A" RESIDENCE DISTRICT TO "BB" RESIDENCE DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCE ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilman Love moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox, Mayor Butler

Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Butler introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

LOT 6, BLOCK 1, OUTLOT 20-21, DIVISION "C", COUNTRY CLUB HEIGHTS, LOCALLY KNOWN AS 3911 RED RIVER STREET, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilman Love moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox, Mayor Butler

Noes: None

The Mayor announced that the ordinance had been finally passed.

ZONING ORDINANCE CORRECTED

Mayor Butler introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 691009-F, ENACTED BY THE CITY COUNCIL ON OCTOBER 9, 1969, BY CORRECTING THE LEGAL DESCRIPTION OF THE PROPERTY DESIGNATED AS TRACT 1 IN SAID ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilman Nichols moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermanp, Friedman, Handcox,  
Noes: None  
Present, but not voting: Mayor Butler

The Mayor announced that the ordinance had been finally passed.

#### STREET VACATION - 2ND READING

Mayor Butler introduced the following ordinance for its second reading:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING FOR PUBLIC USE THAT CERTAIN PORTION OF PARKDALE DRIVE, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; AND RETAINING EASEMENTS IN THE CITY FOR PUBLIC UTILITY, WATER, ELECTRIC AND TELEPHONE DOWN-GUY PURPOSES.

The ordinance was read for the second time, and Councilman Handcox, moved that the ordinance be passed to its third reading. The motion, seconded by Councilman Love, carried by the following vote:

Ayes: Councilmen Dryden, Love, Friedman, Handcox  
Noes: Councilmen Nichols, Lebermann, Mayor Butler

The Mayor announced that the ordinance had been pass to its third reading.

#### THIRD READING OF ORDINANCE EXTENDING HOURS FOR SALE OF ALCOHOLIC BEVERAGES

Mayor Butler introduced the following ordinance for its third reading:

AN ORDINANCE AMENDING CHAPTER 14 OF THE CODE OF THE CITY OF AUSTIN, 1967, ADDING THERETO A NEW SECTION PROVIDING FOR THE HOURS DURING WHICH THE SALE, CONSUMPTION OR POSSESSION OF BEER OR MIXED BEVERAGES IS PERMITTED; AND DECLARING AN EMERGENCY.

MR. ROYAL MASSET presented a petition signed by many concerned citizens who do not support the late drink ordinance.

MRS. ROLAND GAMBLE, Executive Board, Austin City Council of PTA, read a resolution which set out goals to strengthen and develop family life for the sake of all children. Extending the hours for sale and consumption of alcoholic beverages would not further their goals, and the Council was asked not to extend the closing hours dealing with alcoholic beverages.

Opposition was expressed by Elizabeth Hamilton, 1007 Baylor, on behalf of her neighbors near a high class lounge. She pointed out there were loud noises and vulgar remarks being made now until 1:30 A.M.

DR. JOE TRUPELL reported there were from six to 14 taverns in the East Austin area that would extend the hours. In fighting poverty and crime in this area, extending the hours would increase the problems.

COUNCILMAN HANDCOX, familiar with the area, was concerned with the illegal operations, noting there would be either legal sales or illegal sales of alcohol, and the latter is a problem in which he is concerned. REVEREND MARVIN GRIFFIN, Pastor of Ebenezer Baptist Church, asked the Council not to legalize the extended hours, as such extension meant more consumption of liquor, more crime, more law enforcement and a negative effect on the entire City. MR. AUTHUR GUERRA, speaking for owners of restaurants and taverns, stated even though they would make more money, they were more concerned about the residents in the area. Many of the taverns are very close to the residential area, and late hours would be a detriment to the working people. They asked the Council to vote against it. MR. FRANK HORSTFELT spoke in favor of taverns remaining open 24 hours a day, but said the Council should be aware of what goes on in these places and revise the ordinances -- for instance -- liquor is sold to those who are already drunk.

MR. BILL ENGLISH stated liquor by the drink carried by 87% majority. He asked that this item be placed on the ballot when the Charter amendments are submitted to the people. MR. DEAN announced the proponents had been treated fairly and impartially, and that they would try again at another time.

Mayor Pro-tem Love moved that the ordinance be passed through its third and final reading. The motion, seconded by Councilman Handcox, failed to carry by the following vote:

Ayes: Councilmen Love, Handcox, and Friedman

Noes: Councilmen Dryden, Nichols, Lebermann, and Mayor Butler

The Mayor announced that the ordinance had failed to carry.

MAYOR BUTLER made a statement concerning his vote on this measure, stating that the purpose of three hearings of an ordinance of this nature is not particularly continuity. If there were continuity there would be no purpose of having three votes. He stated he misled no one, as each and every time he voted, he specifically stated that he had reservations about this. If at any one of those readings he had voted "no" it would have killed the hearing, and the progressions of the investigations he personally was making, as well as the other Council members. Each time he had stated he had reservations about it, and that he had an open mind and had not reached the final decision and he did not think he had misled any one as to his intentions, and hoped he had not caused any one any inconvenience. Regardless, he said he voted his conscience of what he felt was best for the City of Austin and that he came to that decision after a lot of soul searching, looking, and talking. It was not a wet-dry issue to him.

Councilman Dryden made this statement: He stated the Mayor had exhibited that he investigates issues and listens to both sides. He certainly was not influenced by Council members or any citizen. He spent long hours of worry and thought, and this represents that Austin has a big man for its Mayor. Councilman Handcox expressed respect for the Mayor and it is big of him to vote his own conscience.

REQUEST FOR THE COUNCIL TO PROHIBIT  
BOAT RACES ON TOWN LAKE

MISS DIANE WHITAKER spoke in opposition to boat races on Town Lake, stating the purpose of the Lake was to provide a peaceful serene haven in the midst of the City. If the trend continues, Town Lake will turn into a Coney Island.

In answer to Councilman Nichols' inquiry, MR. JERRY BURLESON, President of the Austin Boat Club said other than the Boat Club and Aqua Festival, he knew of no one who would make application to run boat races on Town Lake.

MR. RANDY GROTKE was concerned with the location of the races, stating the Austin citizens are being denied the right to use a public park for about a fourth of the week ends during the summer. Besides not having access to the park without having to pay, they have complaints about the extreme noises by the power boats. People with canoes and sail boats are limited to such extent they cannot use the Lake during the races and/or practices. MR. DAVID LANCE cited cases where he was asked to stay away during the races.

DR. DONALD P. HARRIS, Electrical Engineer who has done extensive work in sound measurement, stated the power boats created 115 dba level compared to a Federal Government level of 96 dba as the loudest that could be endured by workers in boiler plants for eight hours a day, a level at which permanent damage to hearing occurs. Between 6,000 and 10,000 homes are in the area where the sound limit is far more than allowed in a boiler factory, and is hazardous to one's hearing. Dr. Harris stated if Aqua Festival continues, it is hoped there would be rigid requirements on the muffling of the noise emitting from those races. He pointed out that people object to races not all because of the noise, but of other factors - the use of the Lake - damage to the Lake - and pollution.

MR. DAN McCASKILL submitted written requests from 785 individuals pleading for peace and quiet in their homes. Out of the 785, 615 asked the Council to ban all gasoline motor boats on Town Lake every day in the year, and the remaining 172 would endure the Aqua Festival provided the hideous open stacks are banned.

MRS. ANDREA RAMIREZ, Manager of a Motel 12 blocks from Town Lake, filed a petition with 96 signatures in opposition to power boat races except during the Aqua Festival.

MR. GENE RECTOR filed a petition with 435 signatures opposing power boat races except during the Aqua Festival.

MRS. SANDRA DuPUY was concerned by the sound and reported the trials are begun on Lake Austin and the Walsh landing. Her husband is a physician; and when these trials are being made, her husband cannot hear the telephone ring; nor can they converse. Two days prior to a race, these boats can be on Lake Austin. If there are 14 days of racing on Town Lake, add two days for each of those 14 that her family and others on Lake Austin are subjected to.. She asked for equal time for individuals to race sports cars and motorcycles down Congress Avenue, plus two days prior extra before the races.

MR. HARRY SCHLESINGER, Manager of Town Lake Apartments, 50 meters from the Lake, said the noise is terrible and disrupts the entire day. He was not complaining about races during the Aqua Festival.

One participant referred to the area where the boat races are held, that there were from 8' to 10' of erosion from 1962 to 1970 representing \$72,000.00 worth of parks real estate. Water is polluted when it is exposed to oil and combustion. MR. DON ZAPPONE, Town Lake Apartments, complained of extreme noises and suggested the racing area be located outside of the City.

MR. HARVEY CORN brought the opposition's presentation to a conclusion stating statistics had been submitted, reasons why the racing should be banned were given, including a petition of 1400 signatures in opposition, and suggested that the boat races be outside of the City.

MR. JERRY BURLESON, President of the Austin Boat Club, reviewed the participation of the Austin Boat Club in the Aqua Festival and according to boat racers from other parts of the country. Town Lake is ideal and more suitable than any area the racers go to participate. He did feel the opponents were justified in their complaint about the open exhaust races. In answer to Councilman Nichols, he stated it would be agreeable to him that there be no open exhausts on out board boats. He added they did not as a club use Lake Austin - it would be individuals on their own initiative. They use the Lake for about 9 hours a week end. They could get by without any time trials and start their races at 12:30 or 1:00 P.M. As to relocating as suggested by Councilman Lebermann, Mr. Burleson pointed out the disadvantages of Decker Lake or Lake Travis.

MR. TERRY SASSER, President of the 1972 Aqua Festival, recommended that the permit to race state "not before 12:30 on Sunday." He emphasized the necessity to use Town Lake for the Aqua Festival. He asked the Council to continue to allow this facility for boat racing by special permits.

MRS. STUART HARRIS submitted a letter from Mrs. Arthur Dunn to be made a part of the record. Mrs. Dunn requested that the permit for power boat races on Town Lake be denied, excepting the Aqua Festival races. Her husband works nights and sleeps during the day, and it is impossible for him to rest during these boat races, and the loud speaking system. She suggested finding another location for these races.

Councilman Nichols moved that races be permitted by Special Permit only; and that on Sundays, they shall not begin before 12:30 P.M.; that the four days proposed here (April 29-30, June 3-4, July 1-2, and October 7-8) plus Aqua Festival dates be allowed, and that no open exhausts be allowed on out boards.

#### Substitute Motion

Councilman Handcox offered a substitute to the motion that the Aqua Festival races be continued with the modifications that were outlined in Councilman Nichols' motion, and all other races be subject to a permit. Mayor Pro-tem Love seconded the motion.

In discussion, Councilman Lebermann stated he would like for the Council in some way to commission a study of some alternatives along the lines discussed with Mr. Burleson when he was before the microphone; and in addition to draw up some concrete regulations which would permit the sport of boat racing, so all could anticipate the rules and regulations.

Councilman Nichols withdrew his first motion, and the substitute motion received the following roll call:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,  
Mayor Butler

Noes: None

Councilman Nichols moved that under all the rules that have been established for the Aqua Festival - special permit - 12:30 P.M. - no exhaust - that permission be granted the Austin Boat Club, Inc., for April 29-30, June 3-4, July 1-2, and October 7-8. The motion, seconded by Councilman Dryden, fail to carry by the following vote:

Ayes: Councilman Dryden, Nichols, Mayor Butler

Noes: Councilmen Love, Lebermann, Friedman, and Handcox

MR. BURLESON explained the position they were in now in scheduling for sound trucks and making other arrangements.

Councilman Lebermann suggested that Mr. Burleson discuss with the City Manager and commende an investigation of alternatives, and perhaps a good solution would be worked out.

Councilman Dryden moved the Council granted the Austin Boat Club permission to schedule boat races on April 29th and 30th for one week end. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,  
Mayor Butler

Noes: None

#### CONTRACT TO PURCHASE SEWER MAINS

Mayor Butler introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE DEPUTY CITY MANAGER TO ENTER INTO A CERTAIN REFUND CONTRACT WITH 109 LIMITED, RONALD E. TYNES, OWNER; AND DECLARING AN EMERGENCY.

Councilman Nichols moved the Council waive the requirement for three readings, declare an emergency, and finally pass the ordinance effective immediately, authorizing a five (5) year contract to purchase the sewer approach main(s) serving Greenway Plaza, Sections 1 and 2. Total Cost - \$3,467.10. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,  
Mayor Butler  
Noes: None

The Mayor announced that the ordinance had been finally passed.

#### PROPOSAL OF A DRIVER EDUCATION PROGRAM

MR. ED KRENEK, Post 8787, VFW, stated the Post had developed a three hour program on Survival in Austin, in an effort to cut down the great number of deaths on the streets and highways, He asked for the use of a building that would accomodate about 50 people, and provide for sufficient parking, and asked the Council's endorsement to help get the program started and get the people to attend these lectures and slides.

Councilman Nichols moved the Council vote to ask the City Manager to investigate this and bring back a report next week and see what might be done in this area. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,  
Mayor Butler  
Noes: None

#### ADJUSTMENTS & TRANSFER OF FUNDS

Mayor Butler introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 700924-E TO MAKE FINAL ADJUSTMENTS AND TRANSFERS OF FUNDS AS REQUIRED TO CLOSE OUT THE GENERAL FUND FOR THE 1970-71 FISCAL YEAR; AND DECLARING AN EMERGENCY. (Research and Analysis--\$615.00, Tax Department--\$18,390, Police--\$41,205)

Councilman Nichols moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,  
Mayor Butler  
Noes: None

The Mayor announced that the ordinance had been finally passed.

#### APPROPRIATION & TRANSFER OF FUNDS

Mayor Butler introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 700924-E TO APPROPRIATE UNAPPROPRIATED FUNDS FOR VARIOUS PURPOSES; AND DECLARING AN EMERGENCY.

Councilman Nichols moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,  
Mayor Butler

Noes: None

The Mayor announced that the ordinance had been finally passed.

ZONING WITHDRAWN

Councilman Nichols moved the Council vote to grant the request to withdraw Zoning Case No. C14-71-273, Lee J. Freeman at 3802 Pete's Path, scheduled to be heard before the Council on December 9th. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,  
Mayor Butler

Noes: None

✓ PROPOSAL FOR A LAW ENFORCEMENT PLANNING STUDY

DR. WILLIAM HAZARD made a slide presentation and stated he would distribute brochures concerning studies made for T.V. Media, on Mental Health, attitudes of and determination of directions the City should take in various phases - Urban Renewal, Poverty programs, Police, and the community. He mentioned a recent survey he had made on Model Cities, and displayed maps showing concentration of crimes, drunkenness, robberies, murders, etc. They proposed to gather data concerning law enforcement to identify the kinds of programs which the City could initiate, mentioning the potential riot program.

His suggestions were to establish courses through the junior high and high schools on problems in American democracy, felonies and misdemeanors, civil and criminal law. His proposal had been discussed with the Criminal Justice Council, which would supply 75% of the funds for the program, providing the City Council initiates the application. He had submitted a proposal to the Criminal Justice Council on August 11; and on September 2, a duplicate proposal was submitted to the City Manager. The Board of Directors of the Community Council expressed interest in monitoring and supervising the proposed study. The City could be asked for \$46,000, and the Criminal Justice Council would supply from \$140,000 to \$186,000. The City Manager questioned some of the figures. Mr. Reed, Executive Administrator, stated this being a City-wide study, the 25% could not be obtained from Model Cities; however, Model Cities could participate. Mr. Reed said if this is to be financed, the reference was that it would probably have to come from General Fund sources. Dr. Hazard stated he was not making any recommendations until after the study.

Councilman Handcox stated he would strongly support Dr. Hazard's proposal.

Mayor Butler thanked Dr. Hazard, stating he had made a good presentation, and the Council should go into it a little more in detail.

#### TEMPORARY CLOSING OF 300 BLOCK OF WEST 29TH STREET

Councilman Lebermann moved the Council approve the request of the Institute for Advanced Environmental Studies to close off the 300 block of West 29th Street between 7:00 and 10:30 P.M. on November 16 for dedicatory services. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,  
Mayor Butler  
Noes: None

#### WITHDRAWAL OF APPEARANCE BEFORE COUNCIL

Miss Catherine Gent, representing the Spiritual Assembly of the Baha'is of Austin, withdrew her request to appear before the Council at this time as the hour was late.

#### APPOINTMENT OF NOMINATING AND ELECTION COMMITTEE FOR RETIREMENT SYSTEMS BOARD

The Council deferred action on appointing the Nominating and Election Committee for the Retirement Systems Board until the following week. (Nov. 18)

#### CONSIDERATION OF LEGAL COUNSEL FOR POLICE DEPARTMENT

The Council discussed the hiring of Legal Counsel for the Police Department. The City Manager stated there would be two ways to consider - (1) for the utilization of Travis County as an area and working it basically for the City of Austin with the man employed being more or less full time with the City of Austin.

Mr. Homer Reed stated under the proposal that Councilman Nichols has before the Council, the cost to the City would be zero, as it proposes to charge in a share of the patrolmen's time while in training, so there would be no new costs not already budgeted. They would be off the street for that period of time, however.

(2) The other route would be through the Capital Area Planning Council, which may be necessary, then the cost for the sponsor would be 25% of the total, or \$6,500. Councilman Nichols' intent was to have the advisor exclusively for the Austin Police Department. Councilman Nichols moved the Council, since money is available from the Texas Criminal Justice Council, vote to authorize the City Manager to seek these funds. The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,  
Mayor Butler  
Noes: None

Councilman Friedman outlined the qualifications of such a Counsellor, and he saw no problem in finding well-qualified applicants.

**BALLET SOCIETY LEASE - TOP FLOOR OF FIRE STATION  
AT 30TH AND GUADALUPE**

Councilman Nichols moved the Council authorize a lease with the Austin Ballet Society for the use of the top floor of the Fire Station located at 30th and Guddalupe. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,  
Mayor Butler  
Noes: None

Councilman Nichols moved the Council authorize the City Manager to enter into a lease with the Ballet Society for \$1.00 a year and birng it back to the Council next week for final approval. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,  
Mayor Butler  
Nöes: None

**ADJOURNMENT**

A few minute before midnight, Mayor Pro-tem Love moved that the Council adjourn. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,  
Mayor Butler  
Nöes: None

APPROVED: Ray Butler

ATTEST: Elin Woodley

City Clerk